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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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In the Matter of)
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Numbering Resource Optimization)
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CC Docket No. 99-200

REPLY COMMENTS OF GTE

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GTE Service Corporation and its below-listed affiliates¹ (collectively, "GTE") respectfully submit their reply comments concerning the Notice of Proposed Rulemaking in the above-captioned docket.²

I. INTRODUCTION & SUMMARY

To address successfully the numbering problems facing this country, the Commission must exercise a national leadership role. Deferring to individual state initiatives will not preserve the uniformity that is one of the hallmarks of the North American Numbering Plan ("NANP") and one of the elements necessary to promote

¹ GTE Alaska Incorporated, GTE Arkansas Incorporated, GTE California Incorporated, GTE Florida Incorporated, GTE Hawaiian Telephone Company Incorporated, The Micronesian Telecommunications Corporation, GTE Midwest Incorporated, GTE North Incorporated, GTE Northwest Incorporated, GTE South Incorporated, GTE Southwest Incorporated, Contel of Minnesota, Inc., GTE West Coast Incorporated, Contel of the South, Inc., GTE Communications Corporation, and GTE Wireless Incorporated.

² Numbering Resource Optimization, *Notice of Proposed Rulemaking*, CC Docket No. 99-200, FCC 99-122 (rel. June 2, 1999) ("*NPRM*").

widespread telecommunications competition. Thus, the Commission should design the specific methods of number optimization and the states would guide the implementation of this program.

As part of a national program, GTE recognizes that thousand-block number pooling for wireline carriers can play a role, provided, however, that it is implemented according to a national plan using the cost/benefit analysis described by GTE, and that it be used to complement, not replace, NXX allocation. Further, despite contrary claims, thousand-block pooling will not generate significant additional benefits if wireless carriers are required to participate, and the current pooling trials do not mean this methodology is ready to use today. Finally, as illustrated in the comments, it is only a matter of time before ten-digit dialing will be mandatory. Thus, the Commission should mandate this method of dialing under some sort of a phased implementation schedule

GTE continues to urge the Commission as it develops the national numbering strategy to take action on the numbering problem in the context of a long-term planning perspective, rather than relying on steps that only promise a quick fix. At the same time, any solution the Commission adopts must not discriminate against, or in favor of, discrete industry segments or carriers and must allow all segments of the industry access to the numbering resources that they need.

II. ADDRESSING THE NUMBERING PROBLEM REQUIRES NATIONAL LEADERSHIP FROM THE FCC

The shortage of numbers is a problem that is national in its reach. If the comments are any indication, not a single carrier has been immune from its effects.

Carriers large and small related stories of the impact of number shortages on their ability to conduct their businesses and their relationships with their customers. The nationwide scope of the problem is also demonstrated by the activities of state regulatory agencies. The number shortage has moved agencies across the country from Maine³ to California⁴ to petition the Commission to request additional authority under the current regulatory scheme to take action.

Despite the expressed desire of a number of states to adopt their own unique policy responses concerning numbering conservation and NXX assignment, it is essential to recognize that how the problem is addressed in one state has an effect in other states. This effect can be traced, in part, to the fact that many carriers today serve customers in multiple states. For instance, each of the regional Bell Operating Companies have service areas that cover several states each. GTE has operations in twenty-eight states. Other carriers, such as AT&T Wireless, Sprint PCS, and AirTouch, have established nationwide wireless footprints. Yet, a carrier does not have to be big to be national. Increasingly, smaller carriers and new entrants have operations that cross state lines or target select territories in many different states. Thus, actions taken in one state will necessarily have an effect on a carrier's operations in another.

³ See *Public Notice: Common Carrier Bureau Seeks Comment on Maine Public Utilities Commission Petition for Additional Authority to Implement Conservation Measures*, NSD File No. L-99-27, DA 99-638 (Apr. 1, 1999).

⁴ See *Public Notice: Common Carrier Bureau Seeks Comment on California Public Utilities Commission Petition for Additional Authority to Implement Number Conservation Measures*, NSD File No. L-98-136, DA 99-928 (May 14, 1999).

Given the national scale and scope of the numbering problem, it is imperative that the Commission establish itself as the unambiguous leader in the development and selection of numbering optimization measures. If the Commission fails to establish a leading role, it will be supplanted by the states. Moreover, the Commission must not cede too much of its congressionally granted leadership role to individualized state policies.⁵

Experience has shown that unguided state action in this area is the incorrect approach to this national problem. In their comments, state commissions have requested the authority to give priority to local issues over national standards in resolving important numbering relief and assignment issues.⁶ Instead of acting to optimize scarce and finite numbering resources, many state commissions have designed relief plans that do not meet even the most basic of industry standards. One such standard is that any relief plan result in the creation of NPAs with a five-year life span.⁷ Yet, in Minnesota, the state commission there selected to use area code splits,

⁵ The fact that many states would seek to implement their own unique approaches are reflected in their petitions for additional authority, see notes 3 and 4, *supra*, as well as their comments in this proceeding. See, e.g., Comments of the Connecticut Department of Public Utility Control, CC Docket No. 99-200, at 4 (July 30, 1999) (stating that “[a]dditional state authority is necessary and...warranted”); Comments of the New Jersey Board of Public Utility Control, CC Docket No. 99-200, at 5-6 (July 30, 1999) (“*NJBPU Comments*”).

⁶ See Comments of the New York Department of Public Service, CC Docket No. 99-200, at 3 (July 30, 1999) (stating that “any rules that are adopted should not hamper the state commission’s ability...to implement numbering optimization measures best suited for local market conditions”) (“*NYDPS Comments*”).

⁷ See NPA Relief and Planning Assignment Guidelines, § 9.2.2 (requiring five-year NPA relief).

instead of the recommended area code overlays, which has resulted in the split of the 612 NPA three times in five years.⁸ In fact, such divergence from national and industry standards undermines the industry's efforts to optimize number resources.

The failure of the Commission to act aggressively and assertively as the national leader will lead to even more state efforts to obtain expanded authority to address the numbering problem with narrow, territorial solutions that disregard the federal policies adopted to date. For example, a committee in the California Senate recently voted favorably on a bill that would prohibit area code splits and overlays.⁹ If the states were given the authority to develop the numbering optimization program that the state commission believes best fits the circumstances of the day, the result would be that numbering administration would be accomplished, as U S West puts it, "through a hodgepodge of local, parochial and political state decisions."¹⁰

GTE concurs with U S West's recommendation that the Commission assert itself as the national leader in numbering policy. U S West has correctly identified the solution that, not only must the Commission "wrest back from the states at least some of the authority it has delegated with respect to area code relief decisions," it must fill

⁸ In Minnesota, the utilities commission ordered an area code split despite the fact that the NANPA projected that the core 612 NPA will exhaust in 4.3 years. See Letter from Mike Whaley, U S West Communications, Inc. to Alan Hasselwander, Chairman, NANC (July 14, 1999).

⁹ See Karima A. Haynes, *Panel Passes Bill to Block Phone Overlays*, Los Angeles Times, B1 (Aug. 24, 1999).

¹⁰ Comments of U S West Communications, Inc., CC Docket No. 99-200, at 3 (July 30, 1999) ("*U S West Comments*").

that void by establishing "a more specific direction regarding the design and methodology of area code relief analyses and decisions."¹¹ Under such an approach, the Commission would establish specific numbering optimization methods, such as area code overlays and a specific number pooling design. The states, for their part, would guide the implementation of the national numbering optimization strategy set by the Commission and refined through industry consensus bodies.

While such an approach might seem unduly restrictive on state authority, the Commission and the states must recognize that the administration of the NANP transcends local, parochial interests. Each policy that affects the NANP represents a thread "in the overall fabric of a numbering policy and administration that must be defined by a national vision and crafted to serve the national public interest."¹² If any particular area misappropriates numbering resources or uses them in a less than efficient manner, all other areas of the country are negatively impacted.

III. THOUSAND-BLOCK NUMBER POOLING FOR WIRELINE CARRIERS IS A FAVORABLE NUMBERING CONSERVATION METHOD

The Commission has identified thousand-block number pooling as a strategy for numbering optimization. As indicated in its opening comments in this docket, GTE supports thousand-block number pooling for wireline carriers in areas where the benefits of pooling outweigh the associated costs and where pooling would extend the life of the NPA by five years after the commencement of pooling. Several commenters

¹¹ *U S West Comments*, 3.

¹² *Id.* at 4 (emphasis in original).

share GTE's apprehension of pursuing individual telephone number and unassigned number porting pooling methodologies.¹³ GTE reiterates its opposition to requiring any form of number pooling for wireless carriers.

Consistent with its view that the Commission should take an active national leadership role, GTE agrees with AT&T's recommendation that the FCC "should be [the] sole decision-maker with regard to the pooling implementation schedule."¹⁴ While the states may prefer to make the decisions as to the timing of rolling out pooling,¹⁵ the Commission is actually in a better position to oversee and manage the schedules without an individual state seeking to impose requirements that cannot technically be accomplished.

Moreover, to the extent pooling is implemented in a particular jurisdiction, pooling should be used to complement, not replace, full NXX code assignments, when such assignments are justified. In other words, even under a pooling regime, "full codes should always be available upon a proper showing of need and use."¹⁶ As a technical

¹³ See, e.g., Comments of AirTouch Communications, Inc., CC Docket No. 99-200, at 11 (July 30, 1999) ("*AirTouch Comments*"); Comments of Ameritech Corporation, CC Docket No. 99-200, at 46-48 (July 30, 1999); Comments of Bell Atlantic Corporation, CC Docket No. 99-200, at 2 (July 30, 1999) ("*Bell Atlantic Comments*"); Comments of Nextel Communications, Inc., CC Docket No. 99-200, at 18-19 (July 30, 1999) ("*Nextel Comments*"); Comments of WinStar Communications, Inc., CC Docket No. 99-200, at 22-23 (July 30, 1999) ("*WinStar Comments*").

¹⁴ Comments of AT&T Corp., CC Docket No. 99-200, at 43 (July 30, 1999) ("*AT&T Comments*").

¹⁵ See Outline of California, Connecticut, Maine, New Hampshire, New York, North Carolina, Ohio, Texas, Washington and Wisconsin, CC Docket No. 99-200, at 12-13 (July 30, 1999) ("*State Outline*").

¹⁶ *Liberty Comments*, 5-6.

matter, some carriers may not be able to take ten separate thousand-blocks of numbers from multiple NXX codes in lieu of a full NXX. In addition, forcing a carrier requiring 10,000 numbers to take ten individual thousand-number blocks out of as many as ten different NXX codes, instead of a full NXX, increases the costs of administering and using those numbers and needlessly inflates NPAC storage charges.

There remain, as GTE discussed in its opening comments, significant implementation issues associated with adoption of a pooling plan for wireline carriers. Initially, despite the claims of the New York Department of Public Service ("NYDPS"), the current trial tests of pooling are not sufficient to declare that implementation would be "minimally disruptive to service providers."¹⁷ This assessment fails to take into consideration that the number of carriers involved in the limited pooling trials is minuscule compared to the number of carriers operating in the entire nation. Further, as GTE pointed out in its initial comments, the pooling trials have used an NPAC software release (version 1.4) that lacks the necessary systems and processes needed for large scale implementation of pooling. For example, Version 1.4 lacks a capability called "Efficient Data Representation" or "EDR." Without this capability, an individual company would risk exhausting its numbering database because the system would include not only its pooled numbers but also ported numbers. In fact, implementation of pooling will not be as facile as the NYDPS appears to suggest.

GTE also takes issue with the suggestion of the California Public Utilities Commission that requiring new entrants to contribute a higher percentage of their

¹⁷ NYDPS Comments, 3.

numbering resources to the pool will somehow negatively affect competition.¹⁸ This would be true only if the numbers a carrier held were not linked to any notion of carrier demand. This is not the case. Under the INC Thousand-Block Pooling Guidelines, all carriers will have a set inventory of numbers (*i.e.*, 9 months) based on their need that can be replenished if it is reduced.¹⁹ This inventory level would apply to both the incumbent carrier as well as to the newest entrant. Therefore, whether one carrier contributes a higher percentage of its total numbers to the pool is irrelevant to competitive concerns because all carriers enjoy the same level of inventory.

Finally, GTE strongly disagrees with the proposition that CMRS participation in pooling would significantly improve the effectiveness of thousand-block pooling.²⁰ First, just looking at the raw numbers, there are many more competitive wireline carriers ("CLECs") utilizing numbering resources than there are CMRS carriers. Second, CMRS carriers generally have high utilization percentages, which means that their contributions of numbers to the pool would be relatively small compared to the CLECs' contributions. Third, CMRS carriers do not create the same type of stress on the numbering system because they do not need an NXX for every rate center in the geographic area where they operate. At the same time, CMRS carriers would need full NXX codes more often than CLECs because they are assigning numbers to a larger

¹⁸ See Comments of the California Public Utilities Commission, CC Docket No. 99-200, at 35 (July 30, 1999) ("*Cal. PUC Comments*").

¹⁹ See Comments of GTE, CC Docket No. 99-200, at 58 (July 30, 1999).

²⁰ *State Outline*, 13-14.

potential customer base than a CLEC operating in a single rate center. Given these facts, it is unsurprising to learn that a NANC issue management group found that “[a]dvancing CMRS participation in 1KB [thousands-block] Pooling from 2003 to an earlier year does not appreciably defer the exhaust of the NANP in any documented variation of the NANP Exhaust Model.”²¹

IV. MANDATORY TEN-DIGIT DIALING IS VIEWED AS A BENEFICIAL STEP TO SUPPORTING A LONG-TERM NUMBERING SOLUTION

The opening comments demonstrate that ten-digit dialing is inevitable and the Commission should mandate this method of dialing under some sort of a phased implementation schedule.²² Given the resistance and opposition of state commenters,²³ the Commission must take a strong, affirmative leadership role in ten-digit dialing.

The benefits of a policy of mandatory ten-digit dialing are well documented in the record. For instance, BellSouth points out that mandatory ten-digit dialing will reduce the incentives for states to adopt inefficient optimization methods, like area code

²¹ NANC Paragraph 165 Issue Management Group (IMG), *Effects of Thousand Block Pooling on NANP Exhaust*, 5 (Aug. 23, 1999) (Revised Draft of Final Report). While the IMG did not reach agreement on the Report’s observations, one such observation was that “CMRS participation in number pooling is neither necessary nor desirable considering the associated costs vs. the projected results.” *Id.* at 10.

²² See, e.g., *AirTouch Comments*, 8; *Bell Atlantic Comments*, 2; Comments of BellSouth Corporation, CC Docket No. 99-200, at 15-17 (July 30, 1999) (“*BellSouth Comments*”); Comments of Connect Communications, Inc., CC Docket No. 99-200, at 15 (July 30, 1999); *Liberty Comments*, 3; *Nextel Comments*, 23-24; *SBA Comments*, 9; *U S West Comments*, 4; Comments of the United States Telephone Association, CC Docket No. 99-200, at 7-8 (July 30, 1999) (“*USTA Comments*”).

²³ See *State Outline*, 11 (“The FCC should not adopt nationwide 10-digit dialing.”).

splits.²⁴ Nextel finds that a mandatory ten-digit dialing requirement would decrease customer confusion, reduce disruptions when area code relief plans are implemented, and actually free unused “protected” numbers for use by carriers.²⁵ Thus, GTE continues to encourage the FCC to mandate, beginning with the top 100 MSAs, nationwide ten-digit dialing so that all carriers and customers are treated in a uniform manner.

V. CONCLUSION

Strong steps must be taken to remedy the crisis in the current nationwide numbering allocation scheme. Given the nationwide impact of the design, adoption, and implementation of each of the numbering optimization methods, it is vital that the Commission exercise a national leadership role in this issue.

In its opening comments and above, GTE illustrates how a nationwide program that requires rate center consolidation, implements a phased introduction of mandatory ten-digit dialing, emphasizes the use of NPA overlays, and uses thousand-block pooling judiciously for wireline carriers provides benefits that outweigh their costs and directly attacks the root causes of the numbering crises. Further, GTE has crafted its

²⁴ *BellSouth Comments*, 18-19; see also, e.g., *AirTouch Comments*, 10, Comments of Cincinnati Bell Telephone, CC Docket No. 99-200, at 14-15 (July 30, 1999); Comments of the Organization for the Promotion and Advancement of Small Telecommunications Companies, CC Docket No. 99-200, at 6 (July 30, 1999) (noting that it “would make NPA overlays more practical”).

²⁵ *Nextel Comments*, 23-24; see also, e.g., Comments of PrimeCo Personal Communications, L.P., CC Docket No. 99-200, at 6-7 (July 30, 1999); Comments of PCIA, CC Docket No. 99-200, at 21 (July 30, 1999); *USTA Comments*, 7-8; *WinStar Comments*, 17-20.

guidelines in such a manner as to ensure that carriers who cannot participate in every aspect of the program would continue to enjoy access to a resource that is vital to the competitive survival of telecommunications carriers—the telephone number. The Commission should act consistent with GTE's recommendations in this proceeding in order to further the effective use of essential numbering resources.

Respectfully submitted,

GTE Service Corporation and its designated entities

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